THE HON'BLE Mr. JUSTICE N.V. RAMANA

WRIT PETITION No.8208 of 2001

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Dated: October 5, 2005

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Between:

Mrs. Rizwana Hussain,

W/o. Syed Ameer Ali Hyder,

Aged: 32 years, OCC: Household

R/o.H.No.6-3-1089, Vassi Manzil,

Raj Bhavan Road, Somajiguda,

Hyderabad.

… Petitioner

And

Women Police Station,

CCS, Inspector of Police,

OPP: Public Gardens, Hyderabad,

and three others.

… Respondents

Order:

This writ petition is filed seeking Mandamus directing the first respondent to act upon the petitioner's complaint registered as Crime No.140/2001 and arrest the accused by proceeding with the investigation.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing on behalf of the respondents.

3. Respondent Nos.1 and 2 filed counter affidavit stating that on a private complaint made by the petitioner against the unofficial respondents before the Court of XXII Metropolitan Magistrate at Hyderabad for the offences punishable under Sections 498-A, 406 and 506 of the Indian Penal Code and Sections 4 and 6 of the Dowry Prohibition Act, the learned Magistrate forwarded the same to the Women Police Station for enquiry and after registering the said complaint as Cr.No.140/2001, investigation had been taken up and two witnesses were examined. It is stated that the case of the petitioner was referred as lack of evidence and before filing the final report into the Court of the learned Magistrate, notice was also issued to the complainant informing about the result of the investigation, which was acknowledged by the petitioner and no objection whatsoever was raised by her. The allegation of the petitioner that Respondent Nos. 3 and 4, being very rich and influential men, managed the Police Department, is false and baseless.

4. In view of the averments made by Respondent Nos.1 and 2 in the counter affidavit, that they have acted upon the complaint of the petitioner, having examined the witnesses, registered a crime against the unofficial respondents and also filed final report, nothing survives for consideration in the writ petition.

5. Hence, the writ petition is closed. No costs.

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N.V. RAMANA, J.

October 5, 2005

MRR